

REMARKS

The Applicants are in receipt of the Office Action mailed March 10, 2010, in the nature of plural requirements for elections of species. Applicants hereby petition for two months' extension of time and file herewith the petition/extension fee at the small entity rate.

Acknowledgment by the PTO of the receipt of Applicants' papers filed under §119 would be appreciated.

Claim 21 has been objected to as not explicitly pointing out from which preceding claim or claims it depends. Claim 21 has now been amended to depend from claim 18.

The Office Action initially contains a requirement to elect a single species from among three (3) listed. Then there is a second requirement to elect from among four (4) species listed at the top of page 3 of the Office Action. As Applicants must make elections even though the requirements are traversed, Applicants hereby respectfully and provisionally elect as follows, with traverse and without prejudice:

Species I - Fig. 2 and Fig. 6: Two rectangular birefringent prisms coupled by a binding layer; in combination with

Species b - The device wherein the binding layer is a two-part material, which election is covered by claims 1-3, 5, 6, 7, 9.

The claims which read on the elected subject matter are at present claims 1-3, 5-7, 9, 18 and 21.

Applicants first note that claims 1-17 are directed to a device, whereas claims 18-21 are directed to a method. The Office Action does not include any restriction requirement

between the device and the method, and Applicants are aware of the note which appears at the middle of page 4 of the Office Action indicating that the method and the device are grouped together. Applicants note that claim 18 has not been listed among any of the species a-d at the top of page 4 of the Office Action.

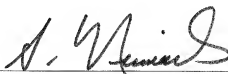
Applicants respectfully traverse the requirement on the basis that the generic claims themselves link the species so as to form a single general inventive concept under PCT Rules 13.1 and 13.2.

Moreover, even if the requirement is to be maintained, Applicants believe and respectfully submit that the Examiner should be guided by the second paragraph of MPEP 803. No separate classification has been demonstrated, and Applicants believe that a single search would cover plural species, so that the search of such plural species would not constitute any additional burden. While the examination of a few additional claims might constitute a minimal additional burden, it would not constitute a "serious burden."

Applicants now respectfully await the results of an examination on the merits.

Respectfully submitted,
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